

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Senior Deputy Clerk.

**F037707      Pacific Gas and Electric Co. v. Modesto Irrigation Dist.**  
Cause called and argued by Scott T. Steffen, Esq., counsel for appellant Modesto Irrigation Dist. and by Charles R. Middlekauff, Esq., counsel for respondent Pacific Gas and Electric Co.  
Cause ordered submitted.

**F037138      People v. Trammell**  
Cause called and argued by Susan K. Keiser, Esq., counsel for appellant. Kathleen A. McGurty, Esq., Deputy Attorney General, counsel for respondent waived oral argument.  
Cause ordered submitted.

The court met in its courtroom at 11:15 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; and Eve Sproule, Court Administrator/Clerk, by Rosemary Heredia, Assistant Deputy Clerk.

**F039853      People v. Clevenger**  
Order to Show Cause called with Cynthia A. Thomas, Attorney At Law present. Matter presented and submitted.  
Attorney Cynthia A. Thomas having prepared and delivered Appellant's Opening Brief in the above entitled matter, IT IS ORDERED that the Order to Show Cause be and is hereby discharged.  
Court recessed until Thursday, November 21, 2002 at 11:00 A.M.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F041249      In re Gregory M., a Minor**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F041252      In re David F., a Minor**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F040164      People v. Teague**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F040164      People v. Teague**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038744      People v. Dupree, Jr.**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F038744      People v. Dupree, Jr.**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F040242      In re Israel J., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F040242      In re Israel J., a Minor**

The finding that Israel violated section 415, subdivision (3) is reversed and the matter is remanded to the trial court for a new disposition hearing. The juvenile court is directed to correct its paperwork accordingly and to inform the appropriate authorities. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038742      People v. Branson**

The judgment of conviction for petty theft (count 1) is affirmed. The judgment of conviction for second degree robbery (count 2) is reversed. The prosecution shall, within 30 days of the issuance of remittitur, file a written election to either retry appellant on count 2 or to forego a retrial. Upon the conclusion of the retrial or the People's decision not to retry appellant on count 2, the trial court shall resentence appellant. Levy, J.

We concur: Dibiaso, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F039009      People v. Belaski, Jr.**

The judgment is affirmed. Cornell, J.

We concur: Ardaiz, P.J. ; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038278      Springstead et al., v. Chevron USA, Inc.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F038079      Solpac, Inc. v. City of Fresno, et al; Mauldin-Dorfmeier Construction Inc.**

The court does not desire further argument in this matter. Accordingly, the above-entitled case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F038056      People v. Presley**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F038650      Kent v. Pan American Ballroom**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F039447      People v. Thompson**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F039447      People v. Thompson**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038906      In re Charles A., a minor.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F040135      People v. James**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F038696      People v. Roberson**

The superior court is directed to correct the abstract of judgment to reflect the imposition of two serious felony prior enhancements and to forward a corrected copy to the Dept of Corrections. In all other respects, the judgment is affirmed. Gomes, J.

We concur: Vartabedian, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F040135      People v. James**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]